

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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KASHON K. SQUIRE,

Plaintiff,

-against-

ORDER

20-CV-3641 (JS) (ST)

SHAQUAISUR BROOKS, LINDA HOPE,
LILLIAN SQUIRE, DSS, and CPS,

Defendants.

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APPEARANCES

For Plaintiff: Kashon K. Squire, pro se
640783
Suffolk County Correctional Facility
110 Center Drive
Riverhead, New York 11798

For Defendants: No appearances.

SEYBERT, District Judge:

By Order dated September 8, 2020 (the "Order"), the Court denied the application to proceed in forma pauperis filed by incarcerated pro se plaintiff Kashon K. Squire ("Plaintiff"). (Order, D.E. 7). The Court ordered Plaintiff to either remit the \$400 filing fee or renew his application to proceed in forma pauperis on the enclosed AO 239 Long Form application within fourteen (14) days from the date of the Order. The Order warned Plaintiff that the Complaint will be dismissed without prejudice if he did not timely comply and judgment will enter. (Order at 3.)

To date, Plaintiff has not filed the AO 239, has not

paid the filing fee, nor has he otherwise communicated with the Court about this case. Accordingly, the Complaint is DISMISSED WITHOUT PREJUDICE for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b) and Court directs the Clerk of the Court to enter judgment accordingly, mark this case CLOSED, and mail a copy of this Order to the pro se Plaintiff at his last known address.¹

The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is DENIED for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45, 82 S. Ct. 917, 8 L. Ed. 2d 21 (1962).

SO ORDERED.

/s/ JOANNA SEYBERT
JOANNA SEYBERT, U.S.D.J.

Dated: October 27, 2020
Central Islip, New York

¹ The Court notes that in Plaintiff's other actions pending before the Court, mail sent to his address of record, which is the same address of record here, has been returned to the Court as "Discharged Return to Sender." (See, e.g., No. 20-CV-4659 (E.D.N.Y.), D.E. 6.) It is therefore likely that this Order will also be returned to the Court. However, it is also posted to the Court's Electronic Case Filing (ECF) system and Plaintiff may view it there.